

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUSTIN BAKER,

Plaintiff,

v.

AVENUE5 RESIDENTAL, *et al.*,

Defendants.

CASE NO. C24-0300-JCC

ORDER

This matter comes before the Court on Plaintiff’s renewed motion to appoint counsel (Dkt. No. 18). Having thoroughly considered the record before the Court, Plaintiff’s motion is DENIED for the reasons described below.

The Court previously found Plaintiff failed to demonstrate circumstances warranting the appointment of counsel. (*See* Dkt. No. 13.) In the instant motion, Plaintiff explains that he cannot effectively prosecute his housing discrimination claims due to the technical nature of the judicial system and his “sleep issues and [] mental conditions and neurological problems.” (Dkt. No. 18-1 at 1.) While the Court is sympathetic to Plaintiff’s plight, as previously explained, “the appointment of counsel for a *pro se* litigant in a civil case ‘is a privilege and not a right.’” (Dkt. No. 13 at 1) (quoting *United States ex rel. Gardner v. Madden*, 352 F.2d 792, 793 (9th Cir. 1965)). And Plaintiff’s personal circumstances, considered through the lens of the merits of

1 this case, are not the ““exceptional circumstances”” required for the appointment of counsel. (*Id.*
2 at 1–2) (quoting *Franklin v. Murphy*, 745 F.2d 1221, 1236 (9th Cir. 1984)). Nothing in Plaintiff’s
3 instant filing alters the Court’s view on this issue.

4 Accordingly, Plaintiff’s motion to appoint counsel (Dkt. No. 18) is DENIED.

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6 DATED this 17th day of April 2024.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE